

May 17, 2002

Honorable F. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
2138 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Sensenbrenner:

As the Ranking Member of the Judiciary Committee and the Ranking Members of the Subcommittees with jurisdiction over law enforcement and related matters, we request that the Committee conduct hearings on what the White House and key Federal agencies knew about the events leading up to the September 11<sup>th</sup> terrorist attacks, the manner in which such information was acted upon, and what has been learned from past errors that can assist us in preventing such a tragedy from occurring again.

The questions about what was known prior to September 11<sup>th</sup> continue to grow and multiply each day. We cannot leave an investigation of this matter to a behind-closed-doors review by the intelligence community and Intelligence Committees. Our concerns are not ones of public relations or politics, but of substance and a commitment to ensuring that similar errors are prevented in the future.

In fulfilling our Committee's duty to the nation, public Congressional oversight hearings by the Judiciary Committee should be conducted over federal agencies and laws within our jurisdiction, including the FBI, INS, Secret Service, Justice Department and foreign intelligence surveillance laws.

In particular, we believe Judiciary Committee hearings should cover the following:

***1) An examination of the bureaucratic breakdowns of the FBI related to the September 11<sup>th</sup> attacks, and the larger, systemic and cultural problems that are unarguably plaguing the Bureau.*** The bungling by the FBI is not isolated to the events of September 11<sup>th</sup>. Other recent

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cases involving convicted spy Robert Hanssen, the concealment of documents in the Timothy McVeigh case, and Bureau action at Waco, Texas and Ruby Ridge, Idaho, not to mention the events of September 11<sup>th</sup>, call into question the efficacy and integrity of the Bureau.

**2) *An examination of the warning signs that were largely ignored by the FBI, including the July 10, 2001 memorandum from the FBI's Phoenix office warning about links between terrorist organizations and a flight school in Arizona.*** At a minimum, this memorandum should be made available to Judiciary Committee Members and appropriate staff.

**3) *An examination of the lack of coordination among Federal agencies in response to warning signs received by the FBI.*** For example, the Bureau apparently failed to notify other agencies about the Arizona warning. Similarly, the INS has previously told the Committee that a critical problem highlighted by the September 11<sup>th</sup> attacks is a lack of information sharing among intelligence agencies.

**4) *An examination of why the Administration waited 8 months to disclose to the American people the information it had prior to September 11<sup>th</sup> on possible terrorist attacks.***

To the extent that certain requested information is classified, we certainly can work together to ensure that only persons with appropriate clearances are given access to such information.

The Judiciary Committee's investigation should not, and need not, be conducted in a partisan matter. Since September 11<sup>th</sup>, the Committee's actions on the USA PATRIOT Act and INS reform have demonstrated that we have risen above politics to get at the heart of serious problems facing our nation. We would note that concerns already have been raised by both Republican and Democratic Members of Congress. Additionally, White House National Security Advisor Condoleezza Rice and Press Secretary Ari Fleischer repeated yesterday and today that a Congressional investigation into these matters is not only appropriate, but in the best interest of the American people.

Finally, the FBI's actions in Waco, Texas resulted in this Committee conducting several weeks of hearings. Certainly, the FBI's actions in connection with the events of September 11<sup>th</sup> are deserving of the same attention.

We look forward to working with you next week towards scheduling hearings into this matter that are constructive, useful and provide the nation with the critical information it seeks in the aftermath of this national tragedy.

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Sincerely,

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John Conyers, Jr.  
Ranking Member

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Robert C. Scott  
Ranking Member, Subcommittee on Crime,  
Terrorism, and Homeland Security

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Jerrold Nadler  
Ranking Member, Subcommittee on the  
Constitution

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Sheila Jackson Lee  
Subcommittee on Immigration and Claims

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Melvin L. Watt  
Ranking Member, Subcommittee on  
Commercial and Administrative Law